IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
W.P.no.2311/2006
Bhimrao Narayan Sontakke vs. State of Maharashtra and others.

Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders.

CORAM : A.P. Lavande & R.V.More,JJ
DATE : 21.9.2007

Heard Mrs. U.A.Patil, learned counsel for petitioner, Mr. A.M.Deshpande, learned A.G.P. for respondent no.1, Mr. Gopal Mishra, learned counsel for respondent no.2 and Ms M.P.Munshi, learned counsel for respondent no.3.

2. The petitioner by filing this petition is claiming seniority, increments, revision of pay scale taking into consideration his date of appointment as 1.9.1990.

3. There is no dispute that the services of the petitioner were terminated in the year 1993 and thereafter the petitioner preferred Writ Petition No. 1063/93 which was disposed of by the Division Bench of this Court by passing order dated 31.8.2004 by accepting the statement of the learned counsel for the petitioner to the effect that the services of the petitioner were regularised in the year 2000 and , therefore, cause of action did not survive.

4. Since the petitioner himself did not make any grievance about regularisation of his services with effect from the year 2000 in that petition, now it is not permissible for him to file fresh writ petition claiming seniority from the year 1990 on the basis of his selection by the Sub ordinate Service Selection Board. We do not see any merit in the petition. The petition is devoid of any substance and, therefore, the petition is dismissed.

Judge **Judge**

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